

What Are Adult Protective Services?

These are services that the Department of Family Services is legally mandated* to provide for adults who are being abused, neglected, or exploited and who are:

- 18 years or older and physically or mentally disabled or
- 60 years or older.

Protective services to adults consist of the receipt and prompt investigation of reports of suspected abuse, neglect and exploitation. Services include assessing, documenting and identifying the adult's service needs, and providing case management services.

Adults receiving protective services may live in their own homes; live with relatives; or reside in nursing homes, assisted living facilities, hospitals or group care facilities.

** Under Section 63.2-1603-10 of the Code of Virginia*

Report incidents of ABUSE, NEGLECT or EXPLOITATION to...

Fairfax County
Department of Family Services
ADULT PROTECTIVE SERVICES
12011 Government Center Parkway
Fairfax, VA 22035

PHONE:
703-324-7450

TTY:
703-222-9452



www.fairfaxcounty.gov/dfs

Fairfax County is committed to nondiscrimination on the basis of disability in all county programs, services and activities. Reasonable accommodations will be provided upon request by calling 703-324-7450; TTY 703-222-9452. To request this information in an alternate format, call 703-324-5870; TTY 703-222-9452.



July 2007

ADULT PROTECTIVE SERVICES

PROTECTION FOR ADULTS
AS MANDATED BY THE CODE OF VIRGINIA



HELP STOP ABUSE

Fairfax County
Department of Family Services

**Report incidents of
ABUSE, NEGLECT or EXPLOITATION to 703-324-7450**

What do the terms **ABUSE, NEGLECT, & EXPLOITATION** mean?

ABUSE means the willful infliction of physical pain, injury, mental anguish or unreasonable confinement. Examples include:

- Improper use of physical restraints or medication.
- Pushing, striking or slapping.
- Sexual coercion or assault.
- Verbal berating, harassment or intimidation.

NEGLECT refers to nonexistent or insufficient care and support necessary to maintain a person's physical and/or mental health to the extent that his or her well-being is impaired or threatened. This may include:

- Failure to provide safe living conditions.
- Leaving a vulnerable adult alone for long periods.
- Failing to meet basic needs such as food, clothing, shelter, health or medical care.
- Failure of a caregiver to seek medical care or follow medically prescribed treatment.
- Self-neglect that threatens the adult's health or safety.

EXPLOITATION means the illegal use of an incapacitated adult or his or her resources for another's profit or advantage. This includes:

- Charging exorbitant prices for services or repairs.
- Coercing the person into signing contracts.
- Stealing the person's money or possessions.
- Transferring the person's property, savings or other resources without authorization.

**Report incidents of
ABUSE, NEGLECT or EXPLOITATION**

Who reports suspected incidents of adult abuse, neglect or exploitation?

Anyone can report; however, mandated reporters are required by law to report suspected abuse, neglect, or exploitation of elderly persons or adults with disabilities immediately to Adult Protective Services (APS). Sexual abuse; death; serious bodily injury; or disease believed to be caused by abuse or neglect; and any criminal activity involving abuse or neglect that places the adult in imminent danger of death or serious bodily harm must be reported immediately to both APS and the local law enforcement agency.

Mandated reporters include:

- Law enforcement officers.
- Mental health professionals.
- Social workers.
- Persons providing full-time or part-time care to adults for pay on a regular basis.
- Persons employed by or contracted with a public or private agency or facility working with adults.
- Physicians, including hospital residents and interns.
- Any person licensed, certified or registered by a health regulatory board.
- Any guardian or conservator of an adult.
- Any emergency medical services personnel certified by the Board of Health.

Any financial institution that suspects that an adult customer has been exploited financially may report its concerns to APS.



What are the penalties for mandated reporters who do not report?

Failure to make a report by mandated reporters is punishable by a civil monetary penalty of not more than \$500 for the first failure, and not less than \$100 nor more than \$1,000 for subsequent failures.

The Commissioner of the Virginia Department of Social Services determines and imposes the fine for all mandated reporters, except law enforcement. Adult Protective Services also refers matters as necessary to the appropriate licensing, regulatory or legal authority for administrative action or criminal investigation.

What are the legal penalties for persons convicted of abuse or neglect?

Persons convicted of abuse or neglect of an incapacitated adult shall be guilty of a Class 1 misdemeanor. Persons convicted of a second or subsequent offense shall be guilty of a Class 6 felony.*

** Under Section 18.2-369 of the Code of Virginia*

Protection for those reporting

Individuals reporting suspected abuse, neglect or exploitation are protected in two ways:

- They are given immunity from civil and criminal liability if the report is made in good faith; and
- The identity of the person reporting, as well as the information gathered, is confidential and is NOT made available to the public.